

**Bureau of Land Management  
DECISION RECORD  
Determination of NEPA Adequacy  
DOI-BLM-CO-N050-2018-0098-DNA  
Lease Parcel Review December 2018**

**DECISION:**

It is my decision to implement the proposed action for eight (8) of the 47 parcels as described in DOI-BLM-CO-N050-2018-0098-DNA. The eight parcels included in the sale are as follows: 8257, 8258, 8290, and 8298 in the Kremmling Field Office (FO); 8222, 8243 in the Little Snake FO; and 8353, 8394 in the White River FO. Initially 203,282.28 acres were included in scoping for the lease sale. Of this acreage, 6,595.74 acres were removed as they did not conform to the associated RMP. An additional 141,477.60 acres (105 parcels) were deferred at the discretion of the State Director. On November 2, 2018, the State Director, in coordination with the Washington Office, deferred an additional 36 parcels (50,379.99 acres). The Bureau of Land Management (BLM) will offer eight parcels of land (5,468.950 acres) for lease in the December 13, 2018 competitive oil and gas lease sale. I accept the conclusions described in the Determination of NEPA [National Environmental Policy Act] Adequacy (DNA) with respect to these eight parcels, specifically, that the analysis of the alternatives in the *White River Field Office Environmental Impact Statement for the Resource Management Plan Amendment for Oil and Gas Development* (WRFO RMPA/EIS), approved August 2015; *Little Snake Environmental Impact Statement for the Resource Management Plan as amended by the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment* (LSFO RMP/EIS), approved October 2011, amended September 2015; *Kremmling Environmental Impact Statement and Resource Management Plan* (KFO RMP/EIS), approved June 2015; the *Final Environmental Assessment for the June 8, 2017 Competitive Oil and Gas Lease Sale* (June 2017 EA) for the White River, Little Snake, and Kremmling field offices, approved June 8, 2017, and *The Environmental Impact Statement for the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment* (2015 GRSR RMPA/EIS), provide sufficient information to inform me about the potential impacts of the proposed action of leasing these eight parcels.

**Terms/Conditions/Stipulations:**

Standard terms and conditions, as well as the lease notices and stipulations identified by parcel in the Notice of Competitive Lease Sale and Attachment B to the DNA, will apply to any leases issued as a result of this sale.

**AUTHORITIES:**

The authority for this decision is contained in 30 USC § 226 and 43 Code of Federal Regulations (CFR) § 3100.

**PLAN CONFORMANCE:**

BLM has reviewed the proposed action for the eight parcels, and found that it conforms with the following approved resource management plans: *White River Field Office Record of Decision and Approved Resource Management Plan Amendment for Oil and Gas Development* (WRFO

RMPA), approved August 2015; *Little Snake Record of Decision and Resource Management Plan* (LSFO RMP/EIS), approved October 2011, amended September 2015; *Kremmling Record of Decision and Approved Resource Management Plan* (KFO RMP), approved June 2015, and the *Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment* (ARMPA), approved September 2015.

**COMPLIANCE WITH MAJOR LAWS:**

This decision complies with all applicable statutes, regulations, and policies, including the following:

- Endangered Species Act
- Migratory Bird Treaty Act
- Clean Water Act
- National Historic Preservation Act
- Clean Air Act
- Multiple-Use Sustained Yield Act
- Federal Onshore Oil and Gas Leasing Reform Act

**MONITORING:**

No monitoring is required in the sale and issuance of leases as a result of this decision. Should the parcels be developed, monitoring may be required.

**ALTERNATIVES CONSIDERED:**

**Proposed Actions:** The referenced EISs considered the impacts of an alternative that included the leasing of lands for oil and gas development within the respective field offices. The lands analyzed in those alternatives include the lands described in the proposed action for the corresponding field office. The EISs' alternatives are described in greater detail in the DNA.

The proposed action identified in the DNA included the lease sale and issuance for parcels identified in Attachment A of the DNA with standard stipulations as well as additional stipulations to address parcel-specific concerns (43 CFR§ 3101.1-3) consistent with the RMPs.

The act of leasing does not authorize any development or use of the surface of lease lands without further application and approval by the BLM. The legal descriptions, acreages per parcel, and applicable land use stipulations are identified in Attachment A of the DNA.

**RATIONALE FOR DECISION:**

The decision to approve the proposed action is based upon the following: 1) consistency with the approved resource management plans, 2) national policy, 3) agency statutory requirements, 4) relevant resource and economic issues, and 5) application of measures to avoid or minimize environmental impacts.

1. This decision is in conformance with the following approved resource management plans: the *White River Field Office Record of Decision and Approved Resource Management Plan Amendment for Oil and Gas Development* (WRFO RMPA), approved August 2015; *Little Snake Record of Decision and Resource Management Plan* (LSFO RMP/EIS), approved October 2011, amended September 2015;

*Kremmling Record of Decision and Approved Resource Management Plan (KFO RMP)*, approved June 2015, and the *Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA)*, approved September 2015.

2. It is the policy of the BLM as derived from various laws, including the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 *et seq.*], and the Federal Land Policy and Management Act of 1976, to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
3. The decision is consistent with applicable law required for implementation of the Proposed Action reviewed under DOI-BLM-CO-N050-2018-0098-DNA, with respect to eight parcels in the Northwest District.
4. Lease stipulations for each parcel address resource concerns identified in the RMP NEPA review process. Economic contributions supported by implementation of the proposed action have been analyzed in the EISs referenced in the DNA.
5. Standard terms and conditions and special stipulations will apply. Lease stipulations consistent with the respective Resource Management Plans named above for the White River, Little Snake, and Kremmling Field Offices were added to address site specific concerns or new information not identified in the land use planning process.

#### **PUBLIC SCOPING:**

On July 2, 2018, the BLM initiated public scoping by posting a courtesy announcement of the proposed Lease Sale on the BLM website at:

<https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/colorado>

On July 2, 2018, one hundred and seven (107) courtesy letters were mailed to adjacent private surface owners of lands associated with the proposed lease parcels. Twenty notification letters were also sent to federal, state, and local agencies. The BLM received twenty-three (23) public comment submissions during scoping for the DNA, including a single letter from Wilderness Workshop comprised of one hundred and two (102) separate form letters and a single petition letter from Conservation Colorado with multiple form letters from 3,129 individuals.

#### **PUBLIC PROTESTS:**

On October 26, 2018, the BLM Colorado State Office (CSO) lease sale notice announced that parcels of land would be offered in a competitive oil and gas lease sale on December 13, 2018. This lease sale notice initiated a 10-day protest period for the lease sale. On November 5, 2018, the BLM COSO received ten timely protest letters, including 2412 additional form letters (submitted through an organization's website) representing 2 organizations and six individuals.

**APPEALS:**

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (copy attached). If an appeal is taken, your notice of appeal must be filed in this office (at the below address) within 30 days from your receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

Bureau of Land Management  
Colorado State Office  
2850 Youngfield Street  
Lakewood, Colorado 80215-7210

You may file a notice of appeal by paper copy only. Even if the BLM has previously corresponded with you by email, facsimile, or social media means, the BLM will not accept a notice of appeal transmitted electronically (e.g., by email, facsimile, or social media means). Also, the BLM will not accept a petition for stay that is transmitted electronically (e.g., by email, facsimile, or social media means). Both the notice of appeal and any petition for stay must be received on paper at the office identified above.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for stay must accompany your notice of appeal. A copy of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the standards listed below.


**Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success of the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted, and,
4. Whether the public interest favors granting the stay.

Approved by:

Date:

  
Suzanne Mehlhoff, Deputy State Director  
Division of Energy, Lands, and Minerals

